



Michael D. Schissel
+1 212.836.8240 Direct
Michael.Schissel@arnoldporter.com

April 9, 2018

VIA ECF

The Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl St., Courtroom 15B
New York, NY 10007-1312

Re: Sharkey v. J.P. Morgan Chase & Co., et al., No. 10 Civ. 3824 (DLC)

Dear Judge Cote:

This firm represents Defendants in the above-referenced matter.

In accordance with the Court's Order dated March 29, 2018, the parties attempted to agree on a private mediator to conduct a mediation in April. Unfortunately, the parties have been unable to agree on a mutually-acceptable mediator. Therefore, we respectfully request that Your Honor appoint a Magistrate Judge, not previously assigned to this case, to conduct a mediation in April.

I discussed this request with Plaintiff's counsel, who advised me that Plaintiff has no objection. Plaintiff's counsel also asked me to inform the Court that Plaintiff is prepared to return to the Magistrate Judge who conducted the prior three mediation sessions. Defendants, however, believe that because the prior mediation sessions were not successful, the settlement process may benefit from the appointment of a new Magistrate Judge.

Accordingly, we respectfully ask that Your Honor appoint a new Magistrate Judge for purposes of mediation in April.

We appreciate Your Honor's consideration of this matter.

Respectfully submitted,
/s/ Michael D. Schissel

Michael D. Schissel

cc: Douglas H. Wigdor, Esq. (*via ECF*)
Michael J. Willemin, Esq. (*via ECF*)
Kathleen A. Reilly, Esq. (*via ECF*)